

PENACHIO MALARA LLP
Counsel for the Debtor
235 Main Street
White Plains, New York 10601
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**HEARING DATE & TIME:
SEPTEMBER 19, 2017 AT 1:30 PM**

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re : CHAPTER 13

NATALIE FATIGATE, : CASE NO.: 16-35182 (CGM)
: Debtor.

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STATUS REPORT AND REQUEST FOR ADJOURNMENT

**TO: THE HONORABLE CECELIA G. MORRIS
CHIEF UNITED STATES BANKRUPTCY JUDGE**

The status report regarding the Chapter 13 proceeding of **NATALIE FATIGATE**, the debtor herein (the "Debtor"), by her attorneys **PENACHIO MALARA LLP**, and her request for an adjournment of the Confirmation hearing respectfully represents, as follows:

1. The Debtor filed for Chapter 13 relief to address several obligations including the mortgage on her home at 8 Ricky Court, Hopewell Junction, NY 12533 (the "Home"). The Debtor, who is a nurse, owns the Home jointly with her non-debtor spouse, who is a firefighter.
2. Shellpoint Mortgage ("Shellpoint"), which serviced the mortgage, denied the Debtor a loan modification.
3. The Debtor's husband is pursuing borrowing funds from his New York State Deferred Compensation Plan ("NYSDCP") to cure the arrears. The Debtor's husband applied for a hardship loan.

4. By letter dated May 24, 2017, the NYSDCP requested documentation from Shellpoint regarding the threat of foreclosure. Counsel requested the information from Shellpoint a number of times. Several follow up emails were sent to the counsel for Shellpoint, the Druckman Law firm.

5. Finally, on September 13, 2017, counsel for Shellpoint notified the undersigned that the lender had changed servicers – FCI Lending will be servicing the loan. A copy of the email chain is attached.

6. The Debtor and her husband will be reaching out to FCI Lending with respect to the information that they so urgently require and will ask also inquire about the possibility of a modification.

7. The Debtor respectfully requests that the Court adjourn confirmation to a date in November.

Dated: White Plains, NY
September 13, 2017

PENACHIO MALARA, LLP

By: /s/ Anne Penachio
Anne Penachio, Esq.
Counsel for Debtor
235 Main Street, Suite 610
White Plains, NY 10601
Telephone: (914) 946-2889

Anne Penachio

From: Amelia Jenkins <ajenkins@dlgnylaw.com>
Sent: Wednesday, September 13, 2017 9:07 AM
To: Anne Penachio; Jennifer Rago
Cc: Stuart Druckman; Mary Marsh
Subject: RE: Natalie Fatigate, Ch. 13 Case No.: 16-35182(cgm)

Good Morning Ms. Penachio,

We were just Advised that this loan was service transferred. I am not sure what Law firm is handling this now, but below is the new loan information.

FCI Lending loan #9160021964
Michele Boiko - FCI BK contact (mboiko@trustfci.com)

Thank you,
Amelia

From: Anne Penachio [mailto:Anne@pmlawllp.com]
Sent: Thursday, September 07, 2017 9:51 AM
To: Jennifer Rago; Amelia Jenkins
Cc: Stuart Druckman; Mary Marsh
Subject: RE: Natalie Fatigate, Ch. 13 Case No.: 16-35182(cgm)

See below. Any update on this?

Anne Penachio
Penachio Malara LLP
Attorney at Law
235 Main Street
White Plains, NY 10601
(914) 946-2889

From: Jennifer Rago
Sent: Thursday, August 17, 2017 12:30 PM
To: ajenkins@dlgnylaw.com
Cc: Anne Penachio <Anne@pmlawllp.com>; Stuart Druckman <sdruckman@dlgnylaw.com>; Mary Marsh <mmarsh@dlgnylaw.com>
Subject: RE: Natalie Fatigate, Ch. 13 Case No.: 16-35182(cgm)
Importance: High

Dear Ms. Jenkins:

Please see the attached correspondence from Anne Penachio following up with the reinstatement figures from Shellpoint.

Thank you.



Jennifer Raggio

Paralegal/Office Manager

Loss Mitigation/Bankruptcy Specialist

Penachio Malara, LLP

235 Main Street

White Plains, NY 10601

(914) 946-2889 (Phone)

(914) 946-2882 (Fax)

jraggio@pmlawllp.com

From: Jennifer Raggio

Sent: Wednesday, July 05, 2017 12:21 PM

To: 'ajenkins@dlgnylaw.com' <ajenkins@dlgnylaw.com>

Cc: Anne Penachio <Anne@pmlawllp.com>; Stuart Druckman <sdruckman@dlgnylaw.com>; 'Mary Marsh'

<mmarsh@dlgnylaw.com>

Subject: Natalie Fatigate, Ch. 13 Case No.: 16-35182(cgm)

Dear Ms. Jenkins:

Please see the attached correspondence regarding the requests for balances of arrears due on the above-referenced debtor's mortgage with Shellpoint.

Thank you.



Jennifer Raggio

Paralegal/Office Manager

Loss Mitigation/Bankruptcy Specialist

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